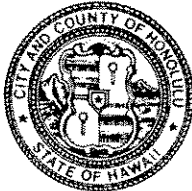


DEPARTMENT OF THE CORPORATION COUNSEL
CITY AND COUNTY OF HONOLULU

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MUFI HANNEMANN
MAYOR



CARRIE K.S. OKINAGA
CORPORATION COUNSEL

DONNA M. WOO
FIRST DEPUTY CORPORATION COUNSEL

June 29, 2005

Byron A. Eliashof, M.D.
615 Piikoi Street, Suite 1509
Honolulu, Hawaii 96814

Re: CIVIL NO. CV03-00476 SOM/KSC
COLOYAN v. BADUA

Independent Psychological Examination
July 12, 2005--8:30 a.m.
Ofelia Coloyan

Dear Dr. Eliashof:

Thank you very much for willingness to accommodate the parties for the independent psychiatric examination of Mrs. Ofelia Coloyan who alleges that her home was illegally searched without her consent by Officer William Badua and three other police officers. As a result of this incident, she claims that she has suffered emotional distress, difficulty eating and sleeping, mental anguish, anxiety, embarrassment, humiliation and shame.

This confirms that the examination will be held on **July 12, 2005 at 8:30 a.m.** at your office located at 615 Piikoi Street, Suite 1509. We have informed Mrs. Coloyan to appear no later than 8:15 a.m. as there will be forms to be completed prior to the examination.

I have enclosed the following for your review:

- Independent Medical Examination Report attended on March 12, 1999 of Dr. Kent Davneport, M.D., FACS;
- Third-Amended Complaint filed on January 27, 2004;
- Plaintiff's Response to Defendant William Badua's First Request for Production of Documents and Things to Plaintiff (dated August 30, 2004)
- Plaintiff's Response to Defendant William Badua's First Request for Answers to Interrogatories to Plaintiff (dated September 2, 2004)

Exhibit 2

Byron A. Eliashof, M.D.

June 29, 2005

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- Deposition of Detrich Kamakani taken on March 31, 2005;
- Deposition of Donald Stafford taken on March 31, 2005;
- Deposition of Spencer Anderson taken on March 31, 2005
- Deposition of Neil Pang taken on April 18, 2005
- Deposition of Darren Nihei taken on April 4, 2005;
- Deposition of William P. Badua taken on December 15, 2004;
- Deposition of Ofelia Coloyan taken on January 6, 2005;
- Medical Records of Ofelia Coloyan obtained from Castle Medical Center, Human Resources-Personnel taken on March 18, 2005, Volume I. Volume II and Volume III.

Additionally, this confirms acknowledgement, as relayed in your June 25, 2005 letter of your fees:

- \$450/hour for out of court time, conferences with the attorney(s) and examination, and are not included in the retainer and are not charged against it;
- \$675/hour for depositions and court testimony.
- \$1,000.00 retainer fee (due before July 12, 2005);

Furthermore, we are in the process of obtaining your retainer fee. As soon as we receive it, we will transmit it to your office.

I will contact you a few days prior to the examination to further discuss the case and provide a brief summary of the case.

Once more, thank you very much your time and willingness to perform the independent psychiatric examination of Mrs. Coloyan. If you have any questions, please feel free to contact my secretary Donna Kasashima at 523-4177 or myself at 523-4116.

Very truly yours,



KENDRA K. KAWAI
Deputy Corporation Counsel

dk
Enclosures

